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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

MARC SPITZER, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON  
KRISTIN K. MAYES

IN THE MATTER OF THE APPLICATION OF  
LIGHTYEAR NETWORKS SOLUTIONS, LLC  
FOR A CERTIFICATE OF CONVENIENCE AND  
NECESSITY TO PROVIDE COMPETITIVE  
RESOLD AND FACILITIES-BASED LOCAL  
EXCHANGE AND INTEREXCHANGE SERVICES  
IN ARIZONA.

DOCKET NO. T-04229A-03-0915

PROCEDURAL ORDER

**BY THE COMMISSION:**

On December 23, 2003, Lightyear Network Solutions, LLC ("Applicant" or "LNS") submitted to the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate") to provide resold and facilities-based local exchange and interexchange telecommunications services within the State of Arizona ("Application"). The Application petitioned the Commission for determination that its proposed services should be classified as competitive.

By Procedural Order dated March 8, 2004, a hearing was set for May 24, 2004.

On May 24, 2004, a hearing was held as scheduled, and LNS was ordered to file information regarding its proposed rates and charges for its local exchange service. Additionally, Staff was ordered to file its response thereto within 30 days of LNS' filing.

On June 9, 2004, LNS filed a Notice of Filing Pro Forma Local Exchange Tariff as Late Filed Exhibit.

By Procedural Order dated July 15, 2004, Staff was ordered to file its response to LNS' pro forma local exchange tariff on or before July 19, 2004.

On July 16, 2004, Staff filed a Motion for a Continuance ("Motion") in which Staff requests an additional forty-five days to obtain and analyze additional information in accordance with the underlying principles of Phelps Dodge Corp. v. Arizona Elec. Power Cooperative, 207 Ariz. 95, 83 P.3d 573, 418 Ariz. Adv. Rep. 10 (App. 2004). Additionally, Staff's Motion indicates the need to

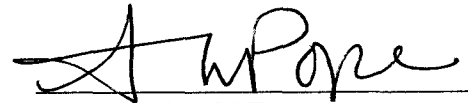
1 treat all applicants equally by requiring the production of the same information.

2 On July 16, 2004, Staff filed a second set of data requests issued to LNS seeking the  
3 information referenced in its Motion.

4 IT IS THEREFORE ORDERED that Staff shall file its response to LNS' pro forma local  
5 exchange tariff and any additional information obtained pursuant to its July 16, 2004 data request as  
6 soon as practicable given LNS' response time but **in no event later than August 30, 2004.**

7 IT IS FURTHER ORDERED that the timeclock provisions for processing this application are  
8 suspended until August 30, 2004.

9 DATED this 19<sup>th</sup> day of July, 2004.

10  
11   
12 AMANDA POPE  
ADMINISTRATIVE LAW JUDGE

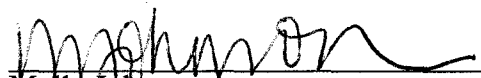
13 Copies of the foregoing mailed/delivered  
14 this 19<sup>th</sup> day of July, 2004 to:

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28